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April 8, 2016

VIA CM/ECF

Hon. Paul G. Gardephe
United States District Judge
U. S. District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: IN RE THE PETITION OF BARBUSS GLOBAL
Civil Action No.: 1:15cv06621 – PGG**

Dear Judge Gardephe:

Our firm represents PVS International, United Agencies, Maghanmal Jethanand (General Trading Company) in the above-captioned action. On August 20, 2015, Petitioners filed a Petition for an Order Allowing Discovery Pursuant to 28 U.S.C. § 1782 [Doc. No. 1] (the “Petition”), and an Amended Petition on August 26, 2015 [Doc. No. 7]. This Court issued its Order granting the Petition on September 24, 2015 [Doc. No. 11].

Pursuant to that Order, subpoenas were issued to HSBC Bank USA, N.A. and People’s Insurance Company, which were served on September 25, 2015 and September 28, 2015, respectively [Doc. No. 12]. Subsequent to the issuance of those subpoenas, Petitioners determined that another party (The American Club) may have made a payment, or otherwise investigated the loss of the subject vessel, and therefore may have information that could be reasonably calculated to lead to the discovery of admissible evidence.

Petitioners filed a Second Amended Petition on February 16, 2016 seeking an Order granting leave to conduct discovery from The American Club. When no response from the Court was received by April 5, 2016, counsel reviewed the docket for further information. At that time, it was discovered that the case had been terminated at the direction of the Court.

The Order [Doc. No. 11] did not state that the case was to be closed, nor was there an entry in the actual docket stating that case was closed. (The only notation was a reference at the top of the docket page.) Counsel anticipated that the case would remain open, albeit dormant, in the event additional action was required (eg: motion to compel) and until such time as a dismissal request was filed by Petitioners. Petitioners, therefore, filed the Second Amended Petition.

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The Clerk's Office, pursuant to direction from Chambers, advised Petitioners to file a letter of request for the case to be re-opened to allow the Second Amended Petition to be considered.

Petitioners apologize for the misunderstanding and respectfully request that this Court instruct the Clerk's Office to re-open this case and process the Second Amended Petition, filed on February 16, 2016, in its usual course.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stephen Simms".

J. Stephen Simms